

United States District Court  
Southern District of Texas  
FILED

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

APR 27 2018

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

David J. Bradley, Clerk

## CRIMINAL COMPLAINT

Alicia Lerma

PRINCIPAL

Case Number:

YOB:

1991

M-18-924 -M

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 26, 2018 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Miqueas Acosta-Herrera and Domingo Astello-Jasso, citizens of Mexico, along with fifteen (15) other undocumented aliens for a total of seventeen (17), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Donna, Texas to the point of arrest near Donna, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On April 26, 2018, Border Patrol Agents conducting surveillance observed a raft with multiple subjects crossing the Rio Grande River in Donna, Texas. Moments later, the agents observed approximately 15 subjects running from the river levee towards a palm grove. Another agent observed a silver Kia Soul and a Gold Chevrolet Tahoe traveling in tandem towards the location where the subjects were last seen running. The agent was able to observe several individuals boarding into the KIA. Shortly thereafter, the agent observed the Tahoe and Kia traveling north towards Military Highway.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Salvador Mendez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

April 27, 2018

Date

3:42 pm

at McAllen, Texas

City and State

Peter E. Ormsby

, U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

M-18-*924* -M

**RE: Alicia Lerma**

**CONTINUATION:**

A nearby agent responded and observed the aforementioned Tahoe and Kia traveling north towards Military Highway near his location. The agent deployed a controlled tire deflation device, successfully deflating multiple tires of the Tahoe. The KIA was observed slowing down and attempting to hide behind a barn. An agent proceeded to get behind the Tahoe and activated his vehicle's emergency equipment in an attempt to conduct a vehicle stop. The Tahoe continued to travel north, making several turns, eventually coming to a stop near the intersection of Farm to Market Road 907 and Anaya Road in Alamo, Texas. Agents observed several individuals exit the Tahoe and abscond into the nearby brush. After a search of the area, agents apprehended 10 subjects determined to be illegally present in the United States. During a field interview, several illegal aliens stated the driver ran and boarded into a white car. Agents were not able to locate the driver.

Mobile agents responded to the barn and located the KIA. The agents observed the KIA begin to drive away from the agents onto Military Highway. Agents proceeded to follow the KIA and observed it was occupied over capacity. Agents activated their vehicles emergency equipment and conducted a vehicle stop near the intersection of Valley View Road and Military Highway in Donna, Texas. As agents approached the KIA, they observed a subject in the rear cargo compartment, four subjects sitting in the rear passenger seat, one subject lying across the rear floor board, a front passenger, and the driver, who was later identified as Alicia Lerma, a United States Citizen.

The passengers were determined to be illegally present in the United States. All subjects were placed under arrest and transported to the Border Patrol Station for processing.

**PRINCIPAL STATEMENT**

Alicia LERMA, a citizen of the United States, was read her Miranda Rights and agreed to provide a statement.

LERMA stated her friend asked her to pick up several family members to give them a ride. LERMA stated she was not going to be paid for picking them up. LERMA claimed she did not know the individuals she picked up were illegal aliens. LERMA stated her friend instructed her to follow a brown Tahoe to the location where she picked up the illegal aliens. LERMA claimed she did not know the driver of the Tahoe and once she picked up the illegal aliens, the illegal aliens instructed her to drive. LERMA indicated she then stopped when she saw Border Patrol and realized her friend had set her up to pick up illegal aliens.

**MATERIAL WITNESS 1**

Miqueas ACOSTA-Herrera, a citizen of Mexico, was read his Miranda Rights and agreed to provide a statement without an attorney present.

ACOSTA stated he made his smuggling arrangements and was to pay \$500 (USD). ACOSTA claimed he crossed the river with several other individuals. ACOSTA stated a foot guide informed them two trucks would arrive to pick them up. ACOSTA stated he boarded into a cream-colored Tahoe and sat behind a male driver. After the Tahoe departed, ACOSTA claimed moments later the TAHOE came to a stop, everyone exited the Tahoe and ran and was later arrested by Border Patrol.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

M-18-*24* -M

**RE: Alicia Lerma**

**CONTINUATION:**

**MATERIAL WITNESS 2**

Domingo ASTELLO-Jasso, a citizen of Mexico, was read his Miranda Rights and agreed to provide a statement.

ASTELLO stated he made his smuggling arrangement and was to pay 2000 Mexican Pesos. ASTELLO stated he crossed the river with several other individuals. ASTELLO claimed a foot guide instructed them to run through the brush until they came up to palm trees and two vehicles would arrive to pick him up. ASTELLO stated he boarded into a silver car and sat behind the passenger seat. ASTELLO claimed he and several other individuals instructed the driver to stop and moments later, Border Patrol stopped them. ASTELLO stated he saw Border Patrol extract the driver who was a female.